REMARKS

Claims 1-20, 22-29 and 38-46 are pending in the present application, with claims 1, 11, 18 and 38 being independent. Claims 21 and 30-37 have been cancelled without prejudice or disclaimer to the subject matter contained therein. Claims 1, 11, 16, 18 and 22-24 have been amended and claims 38-44 have been added for the Examiner's consideration. The subject matter of claims 38-44 is fully supported by the original written description, including, but not limited to original claim 1 and the description relating to FIG. 2 of the present application. No new matter has been added. Reconsideration of the present application is earnestly solicited.

Election/Restriction

Claims 30-37 have been withdrawn from further consideration by the Examiner as being directed toward non-elected subject matter. In order to expedite the prosecution of the present application, Applicant has cancelled claims 30-37 without prejudice or disclaimer to the subject matter contained therein.

Drawings

The Examiner has objected to the drawings for allegedly failing to comply with 37 CFR 1.84(p)(5). This objection is respectfully traversed. The Examiner will note that reference numeral 240 is shown in FIG. 2, e.g., in the approximate center of this drawing near the network connections 230 shown in solid and dashed lines. Accordingly, Applicant believes no further action is required with respect to the drawings.

Claim Rejections Under 35 U.S.C. § 112

Claims 11-29 have been rejected under 35 U.S.C. § 112, second paragraph, as being indefinite for allegedly failing to particularly point out and distinctly claim the subject matter of these claims. These rejections are respectfully traversed.

Without conceding the propriety of the Examiner's rejections, but merely to expedite the prosecution of the present application, Applicant has amended the alleged informalities of claims 11 and 18 identified by the Examiner. However, Applicant submits that the amendments to claims 11 and 18 address minor informalities that more properly should have been objected to by the Examiner. Accordingly, the rejection of claims 11-29 has been obviated and/or rendered moot.

Claim Rejections Under 35 U.S.C. § 102

Claims 1, 2 and 4-29 have been rejected under 35 U.S.C. § 102(e) as allegedly being anticipated by Eryurek et al. (U.S. Patent No. 6,795,798). Claims 1 and 3 have been rejected under 35 U.S.C. § 102(e) as being allegedly anticipated by Eryurek et al. (U.S. Patent Publication No. 2005/0037249). These rejections are respectfully traversed.

Applicant submits that the prior art of record fails to teach or suggest each and every limitation of the unique combination of limitations recited in the claims. Accordingly, these rejections should be withdrawn.

With respect to claim 1, Applicant submits that the prior art of record fails to teach or suggest each and every feature of the unique combination of features recited in the claims. For example, the prior art of record does not teach or suggest the feature of an apparatus with a service portal comprising "a remote collector that collects parameter data from process field devices and *application object data from at least one workstation associated with the process field devices. . .and a block configurator for controlling application object data generated for the at least one workstation from a central location*" as recited in claim 1. (Emphasis added.) Accordingly, the rejection of claim 1 and its dependent claims 2-10, is traversed.

The Examiner has identified the computer (element 30) of the Eryurek references as being analogous to the service portal recited in claim 1. Applicant disagrees with this interpretation. Even if the computer (element 30) of the Eryurek references were considered analogous to the recited service portal, the Examiner will note that there is no teaching or suggestion of a service portal having a remote collector that collects application object data from

at least one workstation associated with the process field devices and/or a block configurator for controlling application object data generated for the at least one workstation from a central location. Accordingly, this rejection should be withdrawn.

With respect to claim 11, the prior art of record fails to teach or suggest the feature of "wherein each field device gathers process parameter data associated with an operation performed and transmits the data to the monitoring device associated with the process, *and wherein the data stream transmitted from each field device is split into individual process parameter data.*." (Emphasis added.) Accordingly, the rejection of claim 11, and its dependent claims 12-17, is traversed.

The Examiner has suggested that Eryurek ('798) teaches or suggests the above-identified feature at col. 8, line 15-col. 9, line 44 or col. 11, lines 15-40 of this reference. This interpretation is respectfully traversed. Applicant has reviewed the Eryurek reference ('798) and respectfully submits that the sections relied upon by the Examiner do not teach or suggest the above-identified features as recited in claim 11. If this rejection is maintained in any form, Applicant requests that the Examiner identify, with specificity, the portion of the Eryurek ('798) reference that allegedly teaches or suggests the data stream transmitted from each field device being split into individual process parameter data.

With respect to claim 18, the prior art of record fails to teach or suggest the feature of "analyzing the gathered data offsite using process experts, wherein the process experts develop optimal physical parameter ranges for each field device of each client production process*; and initiating adjustments to a field device controller for each field device with the offsite process experts through instructions sent to an on-site service portal and based on the analysis of the data performed by the offsite process experts.*" (Emphasis added.) Accordingly, the rejections of claim 18, and its dependent claims 19-29, is traversed.

The Examiner has relied upon col. 10, lines 19-49, col. 35, line 16-col. 38, line 22, Fig. 32 (element 914) and Fig. 33 (element 956) of Eryurek ('798) to allegedly show making adjustments to a field device controller for each field device, wherein the adjustments are based on the analysis of the data performed by the offsite experts. In the embodiment described at col.

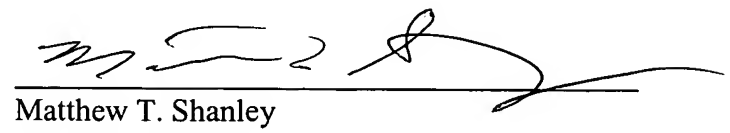
10, lines 19-49 of Eryurek ('798), the Examiner will note that the alleged analogous expert (element 50) is not an off-site expert, but is instead an expert module residing on-site in the computer (element 30). In the embodiment described at col. 35, line 16-col. 38, line 22, Fig. 32 (element 914) and Fig. 33 (element 956) of Eryurek ('798), the alleged analogous off-site experts appear to perform remote performance analysis of the process located on-site. Although the analysis obtained from the off-site expert may be sent back to the plant, there is no teaching or suggestion that adjustments are made to a field device controller for each field device. Since Eryurek ('798) does not teach or suggest making adjustments to a field device controller, Eryurek ('798) cannot reasonably be interpreted to teach or suggest initiating adjustments based on the analysis of the data performed by the offsite experts and/or instructions sent by the offsite experts. As recited in claim 18, the method provides the ability to monitor each field device, analyzing gathered data offsite using process experts, and initiate adjustments to each field device from offsite and based upon the offsite process expert analysis. Accordingly, the rejection of claim 18 and its dependent claims 19-29, should be withdrawn.

Applicant submits that all of the claims are in condition for allowance.

A check in the amount of $120.00 for a one-month extension of time fee is enclosed. Please apply any other charges or credits to deposit account 06-1050.

Respectfully submitted,

Date: November 5, 2005



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